

4-13-04



Attorney Docket No. VPI/99-100DIV2

Applicants : Michael R. Hale, et al.
Application No. : 10/613,650 Confirmation No.: 4616
Filed : July 2, 2003
For : INHIBITORS OF ASPARTYL PROTEASE
Group Art Unit : 1614
Examiner : Not yet assigned

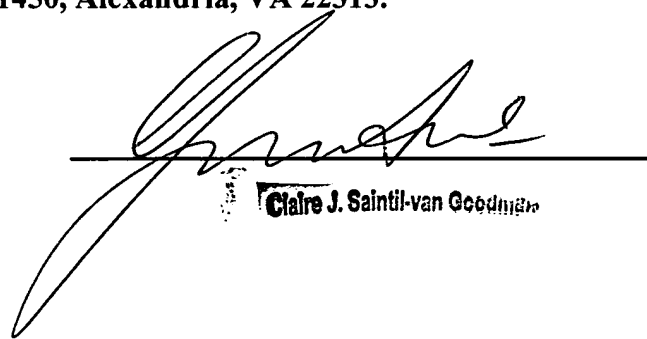
New York, New York 10020
April 12, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

“Express Mail” mailing label number EV132198523US

Date of Deposit April 12, 2004

I hereby certify that this paper/fee is being deposited with the United States Postal Service “EXPRESS MAIL POST OFFICE TO ADDRESSEE” service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.



Claire J. Saintil-van Gooch

Encl:

- Transmittal Letter (in duplicate);
- Information Disclosure Statement (in duplicate);
- Form PTO-1449 (in duplicate)



VPI/99-100DIV2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned
Group : 1614
Applicants : Michael R. Hale, et al.
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New York, New York
April 12, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER FOR
INFORMATION DISCLOSURE STATEMENT

Sir:

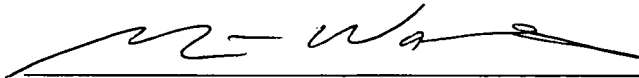
Transmitted herewith is an Information Disclosure Statement in the above-identified application. This Statement is submitted:

- ☐ [] within three months of the application filing date;
- ☒ [x] more than three months from the application filing date but before the mailing date of the first Office Action on the merits.

In accordance with 37 C.F.R. §§ 1.97(b)(3), submission of this Statement requires no fee. However, if for any reason a fee is due, the Director is hereby authorized to charge payment of any fees required in

connection with this Information Disclosure Statement to
Deposit Account No. 06-1075. A duplicate copy of this
letter is transmitted herewith.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Min Wang (Reg. No. 51,303)
Attorneys for Applicants

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INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and 1.97,
applicants, through their representatives, make of record
the following documents:*

UNITED STATES PATENTS

<u>Inventor</u>	<u>Patent No.</u>	<u>Issue Date</u>
Ryono et al.	4,629,724	December 16, 1986
Tung et al.	5,723,490	March 3, 1998
Vasquez et al.	5,843,946	December 1, 1998

* For the convenience of the Examiner, a completed Form PTO-1449 listing these documents, is attached. Copies of all the documents listed herein were submitted by applicants in the grandparent United States Patent Application No. 09/500,781, now United States Patent 6,319,946; or were cited by the Examiner during prosecution of the parent United States Patent Application No. 09/927,271, now United States Patent 6,617,350. Pursuant to 37 C.F.R. §1.98(d), applicants have not enclosed copies of the listed documents. However, applicants stand ready to provide copies at the Examiner's request.

EV132198523US

FOREIGN PATENTS

<u>Country</u>	<u>Patent No.</u>	<u>Publication Date</u>
EPO	EP 0159156A1	October 23, 1985
EPO	EP 0594540A1	April 27, 1994
PCT	WO 94/04492	March 3, 1994
PCT	WO 94/05639	March 17, 1994
PCT	WO 94/10136	May 11, 1994
PCT	WO 95/06030	March 2, 1995
PCT	WO 95/07269	March 16, 1995
PCT	WO 95/09843	April 13, 1995
PCT	WO 95/14016	May 26, 1995
PCT	WO 95/32185	November 30, 1995
PCT	WO 96/33187	October 24, 1996

OTHER DOCUMENTS

A.K. Ghosh et al., "Potent HIV Protease Inhibitors Incorporating High-Affinity P₂-Ligands and (R)-(Hydroxyethylamino)sulfonamide Isostere," Bioorg. Med. Chem. Lett., 8, pp. 687-690 (1998).

S. J. Hays et al., "Synthesis of cis-4-(Phosphonoxy)-2-piperidinecarboxylic Acid, an N-Methyl-D-aspartate Antagonist," J. Org. Chem., 56, pp. 4084-4086 (1991).

Y. Kiso et al., "'O→N Intramolecular Acyl Migration'-type Prodrugs of Tripeptide Inhibitors of HIV Protease," Peptides: Chemistry, Structure and Biology, 61, pp. 157-159 (1996).

A.C. Nair et al., "A Computational Study of the Resistance of HIV-1 Aspartic Protease to the Inhibitors ABT-538 and VX-478 and Design of New Analogues," Biochem. Biophys. Res. Commun., 242, pp. 545-551 (1998).

J.W. Perich et al., "The Synthesis of Multiple O-Phosphoseryl-Containing Peptides via Phenyl Phosphate Protection," J. Org. Chem., 53, pp. 4103-4105 (1988).

M.S. Plummer et al., "Design of Peptidomimetic Ligands for the pp60^{src} SH2 Domain," Bioorganic & Medicinal Chemistry, 5, pp. 41-47 (1997).

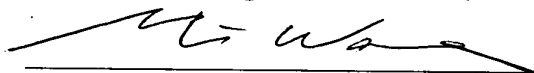
S. Yamaguchi et al., "Synthesis of HIV Protease Dipeptide Inhibitors and Prodrugs," Peptide Chemistry 1996, pp. 297-300 (1997).

Banker et al., Modern Pharmaceutics, pp. 627-629 (1996).

C.T. Baker et al., "Design, Synthesis and Conformational Analysis of A Novel Series of HIV Protease Inhibitors," Bioorg. & Med. Chem. Lett., vol. 8, pp. 3631-3636 (1998).

Applicants respectfully request that the above-cited documents be (1) fully considered by the Examiner during the course of the examination of this application and (2) printed on any patent issuing from this application. Applicants also request that a copy of the enclosed Form PTO-1449 duly initialed by the Examiner be forwarded to the undersigned with the next communication.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)

Min Wang (Reg. No. 51,303)

Attorneys for Applicants

c/o FISH & NEAVE

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
VPI/99-100DIV2APPLICATION
NO.: 10/613,650INFORMATION DISCLOSURE
STATEMENT BY APPLICANTAPPLICANTS
Michael R. Hale, et al.CONFIRMATION NO.:
4616FILING DATE
July 2, 2003GROUP
1614

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,629,724	12/16/86	Ryono et al.			
	5,843,946	12/1/98	Vasquez et al.			
	5,723,490	3/3/98	Tung			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 159 156	10/23/85	EP				
	0 594 540 A1	4/27/94	EP				
	WO94/04492	3/3/94	PCT				
	WO94/05639	3/17/94	PCT				
	WO94/10136	5/11/94	PCT				
	WO95/06030	3/2/95	PCT				
	WO95/07269	3/16/95	PCT				
	WO95/09843	4/13/95	PCT				
	WO95/14016	5/26/95	PCT				
	WO95/32185	11/30/95	PCT				
	WO96/33187	10/24/96	PCT				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.

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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. VPI/99-100DIV2	APPLICATION NO.: 10/613,650
		APPLICANTS Michael R. Hale, et al.	CONFIRMATION NO.: 4616
		FILING DATE July 2, 2003	GROUP 1614

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STATEMENT BY APPLICANT

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